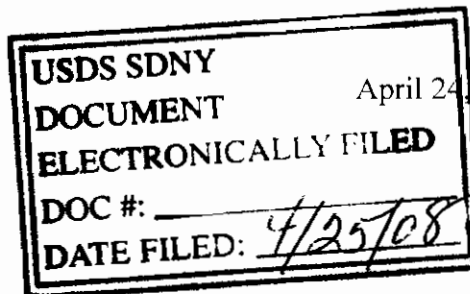
**MEMO ENDORSED**

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April 24, 2008

BY HAND

Honorable James C. Francis
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Ricks v. O'Hanlon, et al., 07 CV 9849 (WHP)(JCF)

Dear Magistrate Judge Francis:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney for defendant Bronx County District Attorney Robert Johnson in the above-referenced matter. This office has learned that Police Officers Brian O'Hanlon and Jeremy Rodriguez may have recently been served with a copy of the summons and amended complaint in this action. Accordingly, I am writing to respectfully request an enlargement of time, until June 9, 2008, within which Officers O'Hanlon and Rodriguez may answer or otherwise respond to the amended complaint.¹ I write directly to the Court because plaintiff is currently incarcerated and proceeding *pro se* in this matter. No previous request for an extension has been made by Officers O'Hanlon and Rodriguez. By endorsement dated April 7, 2008, Your Honor previously granted defendant Johnson's request for an extension to respond to the amended complaint until June 9, 2008, the same date requested herein.

The amended complaint alleges, *inter alia*, that plaintiff was subjected to excessive force during his June 13, 2006 arrest. In addition to defendants District Attorney Johnson, Officer O'Hanlon and Officer Rodriguez, the amended complaint purports to name "P.O. Kevin Casey" as a defendant.² Before this office can adequately respond to the amended

¹ Although this office does not currently represent Officers O'Hanlon and Rodriguez, we respectfully request the extension on their behalves so that their defenses are not jeopardized while representational issues are being resolved.

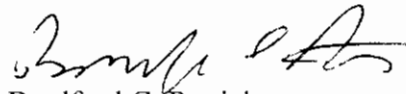
² On information and belief, "P.O. Kevin Casey", who plaintiff purports to name as a defendant, has not been served with a copy of the summons and complaint in this action.

Moreover, the enlargement will allow us to ascertain whether Officers O'Hanlon and Rodriguez have been properly served. If proper service has been effectuated then, pursuant to Section 50-k of the New York General Municipal Law, this office must determine, based on a review of the case, whether we may represent the individual defendants. Officers O'Hanlon and Rodriguez must then decide whether they wish to be represented by this office. If so, we must obtain their written authorization. Only after this procedure has been followed can we determine how to proceed in this case.

In view of the foregoing, it is respectfully requested that the Court grant the within request extending defendants Officer O'Hanlon and Officer Rodriguez's time to answer or otherwise respond to the complaint until June 9, 2008. *N*

Thank you for your consideration in this regard.

Respectfully submitted,



Bradford C. Patrick
Assistant Corporation Counsel
Special Federal Litigation Division

cc: BY MAIL
James Ricks, #241-06-08006
Plaintiff Pro Se
Otis Bantum Correctional Center
1600 Hazen St.
East Elmhurst, NY 11370

4/25/08
Application granted.
SO ORDERED.
James C. Francis IV
USMJ